

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

JOHN O. WALKER,

Petitioner

VS.

DONNIE THOMPSON, Warden,

Respondent

NO. 5:05-CV-222 (CAR)

PROCEEDING UNDER 28 U.S.C. §2254  
BEFORE THE U.S. MAGISTRATE JUDGE

**ORDER**

Petitioner JOHN O. WALKER, has filed a MOTION FOR DEFAULT JUDGMENT (Tab #38) in the above-styled case. His motion was filed after the filing of responsive pleadings by the respondent. Tab #30. In addition, a review of the docket reveals that prior to filing his motion, petitioner WALKER failed to request *entry* of default. Such is required before filing a motion seeking a *judgment* by default. Furthermore, default judgments are not favored in habeas corpus proceedings.

Accordingly, petitioner's MOTION FOR DEFAULT JUDGMENT is **DENIED**.

SO ORDERED, this 10<sup>th</sup> day of AUGUST, 2006.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr.".

**CLAUDE W. HICKS, JR.**  
**UNITED STATES MAGISTRATE JUDGE**